

IFW 3214



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John F. Acres et al.

Attorney Docket No.:

IGT1P289D1C1C1/AC001D1C1C1I

Application No.: 09/827,870

Examiner: Jessica Harrison

Filed: April 6, 2001

Group: 3714

Title: METHOD AND APPARATUS FOR
OPERATING NETWORKED GAMING DEVICES

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on June 5, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: Valerie Olsen
Valerie Olsen

INFORMATION DISCLOSURE STATEMENT AS NOTICE
OF LITIGATION UNDER 37 CFR §§1.56, 1.59, 1.97, AND 1.178

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §§ 1.56, 1.97 and 1.178, and MPEP § 2001.06(c), Applicant respectfully submits the following Information Disclosure Statement and Notice of Litigation for the attention of the Examiner in the above-identified application.

NOTICE OF LITIGATION

U.S. Patent Nos. 6,319,125; 6,565,434; 6,832,958; 37,885; and 38,812 ("the patents in suit") are presently being asserted in a litigation proceeding. This litigation is identified as:

Plaintiff: IGT

Defendants: Bally Gaming International, Inc.; Bally Technologies, Inc.; and Bally Gaming, Inc., d/b/a Bally Technologies

This case is pending in the District of Delaware.

The case number is C.A. No. 06-282.

This case is currently Active.

The MPEP states:

2001.06(c) Information From Related Litigation [R-2]

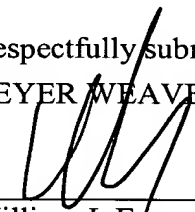
Where the subject matter for which a patent is being sought is or has been involved in litigation, the existence of such litigation and any other material information arising therefrom must be brought to the attention of the U.S. Patent and Trademark Office. Examples of such material information include evidence of possible prior public use or sales, questions of inventorship, prior art, allegations of "fraud," "inequitable conduct," and "violation of duty of disclosure." Another example of such material information is any assertion that is made during litigation which is contradictory to assertions made to the examiner. *Environ Prods., Inc. v. Total Containment, Inc.*, 43 USPQ2d 1288, 1291 (E.D. Pa. 1997). Such information might arise during litigation in, for example, pleadings, admissions, discovery including interrogatories, depositions, and other documents and testimony.

The relationship between the subject patent application and the patents in suit is shown in the attached chart entitled "IGT/ACRES P289/AC001." Applicant believes it is possible that information material to the subject application may arise in the course of the above-identified litigation. Thus, the purpose of this disclosure is to bring to the attention of the Patent and Trademark Office the existence of the litigation so that the Examiner in the subject application can make an independent inquiry into the litigation if the Examiner deems it necessary. It is Applicant's intent to disclose any material information that may arise in the future from the disclosed litigation.

Enclosed is our Check No. 12023 for \$180.00 in payment of the Information Disclosure Statement Fee. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. IGT1P289D1C1C1).

Dated: 6/9/06

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



William J. Egan, III
Registration No. 28,411

P.O. Box 70250
Oakland, CA 94612-0250